FORMPTO-1390(Modified) (REV 11-2000) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER	
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U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR)	09/914830

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP00/01443	23 February 2000	6 March 1999

TITLE OF INVENTION
MEDICAMENT DELIVERY SYSTEM

APPLICANT(S) FOR DO/EO/US
Anthony Patrick JONES; Gregor John McLennan ANDERSON

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
   a. ☐ is attached hereto (required only if not communicated by the International Bureau).
   b. ☒ has been communicated by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
   a. ☐ is attached hereto.
   b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
   a. ☐ are attached hereto (required only if not communicated by the International Bureau).
   b. ☐ have been communicated by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Copy of PCT Cover Sheet
Copy of PCT Request

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
09/914830	PCT/EP00/01443	PG3614USW

24. The following fees are submitted:.	CALCULATIONS	PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :		
☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **$1000.00**		
☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **$860.00**		
☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1 445(a)(2)) paid to USPTO **$710.00**		
☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) **$690.00**		
☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) **$100.00**		
ENTER APPROPRIATE BASIC FEE AMOUNT =	**$860.00**	
Surcharge of **$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).	**$0.00**	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	44 - 20 =	24	x $18.00	**$432.00**	
Independent claims	2 - 3 =	0	x $80.00	**$0.00**	
Multiple Dependent Claims **(check if applicable)** .			☐	**$0.00**	
TOTAL OF ABOVE CALCULATIONS =				**$1,292.00**	
☐ Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				**$0.00**	
SUBTOTAL =				**$1,292.00**	
Processing fee of **$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1 492 (f)). +				**$0.00**	
TOTAL NATIONAL FEE =				**$1,292.00**	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) **(check if applicable).** ☐				**$0.00**	
TOTAL FEES ENCLOSED =				**$1,292.00**	
				Amount to be: refunded	$
				charged	$

a. ☐ A check in the amount of _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. **07-1392** in the amount of **$1,292.00** to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **07-1392** A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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SIGNATURE

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NAME

39,009
REGISTRATION NUMBER

September 4, 2001
DATE

09/914830

JC03 Rec'd PCT/PTO 04 SEP 2001

IN THE UNITED STATES PATENT OFFICE

Applicant	:	JONES, Anthony P., et al.	Docket:	PU3614USW
Appl. No.	:	to be assigned	Group:	
Filed	:	on date hereof		
Title	:	Medicament Delivery System		

Honorable Commissioner of Patents
Washington DC 20231

PRELIMINARY AMENDMENT

Sir:

The above identified application is being transmitted herewith for entry in the US National Phase under Chapter II of the PCT for the purpose of adding the priority information. Please amend the application as follows:

In the Abstract:

Please substitute the attached Abstract, which has been placed on a separate sheet of paper according to US practice, as required under 37 CFR 1.72(b)

In the Specification:

On the first line of the specification, after the Title, please add:

--This application is filed pursuant to 35 U.S.C. §371 as a United States National Phase Application of International Application No. PCT/EP00/01443 filed 23 February 2000, which claims priority from GB9905134.4 filed 6 March 1999 and GB9917470.8 filed 27 July 1999.--

In the "Amended Sheets":

Renumber Amended Sheet page "23" has as page "14";
Amended Sheet page "33" as "15";
Amended Sheet page "43" as "16";
Amended Sheet page "53" as "17"; and
Amended Sheet page "63" as "18".

In the Claims:

Claim 3. (Amended) A portable device according to claim 1, wherein said monitor comprises one or more sensors for sensing the airflow profile associated with the breath cycle.

Claim 4. (Amended) A portable device according to claim 1, wherein said monitor comprises one or more sensors for sensing the temperature profile associated with the breath cycle.

Claim 5. (Amended) A portable device according to claim 1, wherein said monitor comprises one or more sensors for sensing the moisture profile associated with the breath cycle.

Claim 6 (Amended) A portable device according to claim 1, wherein said monitor comprises one or more sensors for sensing the oxygen or carbon dioxide profile associated with the breath cycle.

Claim 7 (Amended) A portable device according to claim 1, wherein the trigger point corresponds to the point at which the lungs of the patient are most empty.

Claim 8. (Amended) A portable device according to claim 1, wherein said monitor is connectable to an electronic information processor.

Claim 12. (Amended) A portable device according to claim 9, wherein said electronic information processor includes a second predictive algorithm for predicting the optimum amount of medicament to release.

Claim 13. (Amended) A portable device according to claim 9, wherein said electronic information processor includes a second look-up table for predicting the optimum amount of medicament to release.

Claim 14. (Amended) A portable device according to claim 12, wherein said electronic information processor includes a dose memory for storing information about earlier delivered

doses and reference is made to the dose memory in predicting the optimum amount of medicament to release.

Claim 15. (Amended) A portable device according to claim 12, additionally comprising a display for displaying information about the optimum amount of medicament to release.

Claim 16. (Amended) A portable device according to claim 12, additionally comprising a selector for selecting the amount of medicament to release.

Claim 19. (Amended) A portable device according to claim 16, wherein the selector comprises a timing mechanism for varying the time interval of actuation of the actuator.

Claim 20. (Amended) A portable device according to claim 16, wherein the selector comprises a metering mechanism between the container and the release mechanism for metering a variable quantity of medicament for release.

Claim 21. (Amended) A portable device according to claim 16, wherein the selector comprises a multiple-fire mechanism for multiple actuation of the actuator, wherein each actuation releases a portion of the optimum amount of medicament.

Claim 22. (Amended) A portable device according to claim 1, wherein said medicament container is an aerosol container and said release mechanism is an aerosol valve.

Claim 28. (Amended) A portable device according to claim 1, wherein said medicament container is a dry-powder container or a liquid container.

Claim 29. (Amended) A portable device according to claim 1, wherein said actuator comprises an energy store for storing energy which energy is releasable to activate the release mechanism of the medicament container.

Claim 36. (Amended) A portable device according to claim 1, additionally comprising a safety mechanism to prevent unintended multiple actuations of the actuator.

Claim 38. (Amended) A portable device according to claim 1, additionally comprising an actuation counter.

Claim 39. (Amended) A portable device according to claim 1, additionally comprising a medicament release counter, preferably a dose counter.

Claim 40. (Amended) A portable device according to claim 1, additionally comprising a manual override.

Claim 41. (Amended) An inhalation device for the delivery of inhalable medicament comprising a housing and a system according to claim 1.

REMARKS/ ARGUMENTS

This application is a PCT National Stage application filed under 35 USC 371 and based upon International Application No. PCT/EP00/01443 with international filing date 23 February 2000. Claims 1-44 are currently pending in this application.

Claims 1-36 were previously amended following PCT Preliminary Examination, as indicated in the Annexed Pages which are stamped as "Amended Sheet." The "Amended Sheets" have been renumbered to correct an obvious typographical error. As such, Amended Sheet page 23 is now page 14; Amended Sheet page 33 is now page 15; Amended Sheet page 43 is now page 16; Amended Sheet page 53 is now page 17; and Amended Sheet page 63 is now page 18.

Claims 3-8, 12-16, 19-22, 28, 29, 36, 38-41 have been amended in this Preliminary Amendment to eliminate multiple dependencies to better comply with US practice and reduce expense.

Attached hereto is a marked version of the changes made to the specification and claims by the current preliminary amendment, (with the exception of the amended page numbers). The attached page is captioned **"Version with markings to show changes made."**

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

James P. Riek
Attorney of Record, Reg. No. 39,009

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification

none

In the Claims

Claims 3-8, 12-16, 19-22, 28, 29, 36, and 38-41 have been amended as follows:

Claim 3. (Amended) A portable device according to claim 1 ~~either of claims 1 or 2~~, wherein said monitor comprises one or more sensors for sensing the airflow profile associated with the breath cycle.

Claim 4. (Amended) A portable device according to claim 1 ~~any of claims 1 to 3~~, wherein said monitor comprises one or more sensors for sensing the temperature profile associated with the breath cycle.

Claim 5. (Amended) A portable device according to claim 1 ~~any of claims 1 to 4~~, wherein said monitor comprises one or more sensors for sensing the moisture profile associated with the breath cycle.

Claim 6. (Amended) A portable device according to claim 1 ~~any of claims 1 to 5~~, wherein said monitor comprises one or more sensors for sensing the oxygen or carbon dioxide profile associated with the breath cycle.

Claim 7. (Amended) A portable device according to claim 1 ~~any of claims 1 to 6~~, wherein the trigger point corresponds to the point at which the lungs of the patient are most empty.

Claim 8. (Amended) A portable device according to claim 1, ~~any of claims 1 to 7~~, wherein said monitor is connectable to an electronic information processor.

Claim 12. (Amended) A portable device according to claim 9 ~~any of claims 9 to 11~~, wherein said electronic information processor includes a second predictive algorithm for predicting the optimum amount of medicament to release.

Claim 13. (Amended) A portable device according to claim 9 ~~any of claims 9 to 11~~, wherein said electronic information processor includes a second look-up table for predicting the optimum amount of medicament to release.

Claim 14. (Amended) A portable device according to claim 12 ~~either of claim 12 or 13~~, wherein said electronic information processor includes a dose memory for storing information about earlier delivered doses and reference is made to the dose memory in predicting the optimum amount of medicament to release.

Claim 15. (Amended) A portable device according to claim 12 ~~any of claims 12 to 14~~, additionally comprising a display for displaying information about the optimum amount of medicament to release.

Claim 16. (Amended) A portable device according to claim 12 ~~any of claims 12 to 15~~, additionally comprising a selector for selecting the amount of medicament to release.

Claim 19. (Amended) A portable device according to claim 16 ~~any of claims 16 to 18~~, wherein the selector comprises a timing mechanism for varying the time interval of actuation of the actuator.

Claim 20. (Amended) A portable device according to claim 16 ~~any of claims 16 to 19~~, wherein the selector comprises a metering mechanism between the container and the release mechanism for metering a variable quantity of medicament for release.

Claim 21. (Amended) A portable device according to claim 16 ~~any of claims 16 to 20~~, wherein the selector comprises a multiple-fire mechanism for multiple actuation of the actuator, wherein each actuation releases a portion of the optimum amount of medicament.

Claim 22. (Amended) A portable device according to claim 1 ~~any of claims 1 to 21~~, wherein said medicament container is an aerosol container and said release mechanism is an aerosol valve.

Claim 28. (Amended) A portable device according to claim 1 ~~any of claims 1 to 21~~, wherein said medicament container is a dry-powder container or a liquid container.

Claim 29. (Amended) A portable device according to claim 1 ~~any of claims 1 to 28~~, wherein said actuator comprises an energy store for storing energy which energy is releasable to activate the release mechanism of the medicament container.

Claim 36. (Amended) A portable device according to claim 1 ~~any of claims 1 to 35~~, additionally comprising a safety mechanism to prevent unintended multiple actuations of the actuator.

Claim 38. (Amended) A portable device according to claim 1 ~~any of claims 1 to 37~~, additionally comprising an actuation counter.

Claim 39. (Amended) A portable device according to claim 1 ~~any of claims 1 to 38~~, additionally comprising a medicament release counter, preferably a dose counter.

Claim 40. (Amended) A portable device according to claim 1 ~~any of claims 1 to 39~~, additionally comprising a manual override.

Claim 41. An inhalation device for the delivery of inhalable medicament comprising a housing and a system according to claim 1 ~~any of claims 1 to 40~~.

MEDICAMENT DELIVERY SYSTEM

Abstract

There is provided a system for the delivery of inhalable medicament comprising a monitor (40) for monitoring the breath cycle of a patient, a medicament container (2) having a release mechanism (4,5) for releasing inhalable medicament therefrom, and an actuator (50) for actuating said release mechanism, the actuator (50) being actuable in response to a signal from the monitor(40). The monitor (40) provides the signal at a trigger point which is coupled to the end of the exhalation part of the breath cycle.

Medicament delivery system

The present invention relates to a system for the delivery of inhalable medicament to a patient at a preset point in the breathing pattern of the patient. In particular, the invention relates to metered dose inhalers by means of which medicament may be delivered in metered doses.

It is well known to treat patients with medicaments contained in an aerosol, for example, in the treatment of respiratory disorders. It is also known to use for such treatment, medicaments which are contained in an aerosol and are administered to a patient by means of an inhalation device comprising a tubular housing or sleeve in which the aerosol container is located and an outlet tube leading out of the tubular housing. The aerosol containers used in such inhalation devices are designed to deliver a predetermined dose of medicament upon each actuation by means of an outlet valve member at one end which can be opened either by depressing the valve member while the container is held stationary or by depressing the container while the valve member is held stationary. In the use of such devices, the aerosol container is placed in the tubular housing with the outlet valve member of the container communicating via a support with the outlet tube, for example a nozzle or mouthpiece. When used for dispensing medicaments, for example in bronchodilation therapy, the patient then holds the housing in a more or less upright condition and the mouthpiece or nozzle of the inhalation device is placed in the mouth or nose of the patient. The aerosol container is pressed towards the support to dispense a dose of medicament from the container which is then inhaled by the patient.

It may be understood that effective delivery of medicament to the patient using an inhalation device as described above is to an extent dependent on the patient's ability to co-ordinate the actuation of the device (e.g. firing of the aerosol) with the taking of a sufficiently strong inward breath. For some patients the required co-ordination can present difficulties. Other patients, particularly those having severe respiratory problems, find it difficult to produce a reliable inward breath. Both of these sets of patients run the risk that they do not receive the appropriate dose of medicament.

Breath-actuable or breath-assisted inhalation devices have been developed to address the needs of patients having poor co-ordination skills and/or unreliable breath capability. Such devices typically have a breath trigger mechanism which triggers release of medicament in response to the inward breath of a patient.

One problem inherent with such breath-triggered devices is that a certain amount of the inward breath is used up before the trigger is activated. The full inward breath is thus, not available for inhalation of medicament. Further, that initial part of the inward breath which is 'lost' prior to release of the medicament is a relatively strong and inhalation-effective portion of the full inward breath. Where the patient has poor breath capacity the loss of this portion of the inward breath may significantly compromise the amount of medicament which is deliverable to the lungs.

Another problem with such breath-triggered devices is that the medicament may not be released at the optimum point in the breath cycle.

The Applicants have now found that enhanced delivery of medicament is achievable by use of a system in which the breathing pattern of a patient is monitored and drug release is co-ordinated with a preset point in the breathing pattern. This preset point is selected to optimise the delivery of drug to the lung. It has been found to be particularly advantageous if the preset point is defined relative to, or indeed to coincide with, the end of the exhalation part of the breath cycle.

The Applicants have also now appreciated that at the end of the exhalation part of the breath cycle, the patient's mouth cavity is typically at rest which allows it to act as a natural 'spacer' element, thereby assisting with dispersal of the delivered medicament. There is thus, potentially less need for the use of a separate mechanical spacer element as is commonly used in conjunction with the mouthpiece of conventional inhalation devices.

According to one aspect of the present invention there is provided a system for the delivery of inhalable medicament comprising a monitor for monitoring the

breath cycle of a patient; a medicament container having a release mechanism for releasing inhalable medicament therefrom; and an actuator for actuating said release mechanism, said actuator being actuable in response to a signal from said monitor. The monitor provides said signal at a trigger point which is coupled to the end of the exhalation part of the breath cycle.

By release mechanism herein it is meant any mechanism which enables release of medicament from the container. The release may be active in the sense that medicament is actively dispensed from the container (e.g. by the propellant-driven firing from an MDI aerosol container) or the release may be passive in the sense that medicament is merely made available for release (e.g. by removing a cover from a dry powder container) when the release mechanism is actuated.

By monitor herein it is meant any suitable means for monitoring, measuring, tracking or indicating the breath cycle of a patient including monitors employing one or more sensors. Suitable sensors include mechanical sensors such as those employing vanes or sails which are movable in response to airflow.

Preferably, the monitor comprises one or more sensors for sensing the pressure profile associated with the breath cycle. Pressure transducers are suitable sensors of this type.

Preferably, the monitor comprises one or more sensors for sensing the airflow profile associated with the breath cycle. Sprung vane sensors and sensors including anemometers are suitable sensors of this type.

Preferably, the monitor comprises one or more sensors for sensing the temperature profile associated with the breath cycle. The temperature of the inhaled and exhaled part of the breath cycle varies and may, thus, be used as a measurement tool.

Preferably, the monitor comprises one or more sensors for sensing the moisture profile associated with the breath cycle. The moisture content of the inhaled and exhaled part of the breath cycle varies and this also may be used as a measurement tool.

Preferably, the monitor comprises one or more sensors for sensing the chemical profile, particularly the oxygen or carbon dioxide profile, associated with the breath cycle. The chemical profile of the inhaled and exhaled part of the breath cycle varies and this further may be used as a measurement tool.

Preferably, the trigger point corresponds to the point at which the lungs of the patient are most empty.

Preferably, the monitor is connectable to an electronic information processor. The connection may be direct or via any suitable mechanical or electronic transfer means.

Preferably, the electronic information processor includes an active memory for storing information about the breath cycle.

Suitably, the electronic information processor includes a predictive algorithm or look-up table for predicting the optimum trigger point. For example, a real-time analysis of the patient waveform may be made and the optimum trigger point derived by reference to that analysed waveform.

Suitably, the electronic information processor includes a second predictive algorithm or look-up table for predicting the optimum amount of medicament to release. Suitably, the electronic information processor includes a dose memory for storing information about earlier delivered doses and reference is made to the dose memory in predicting the optimum amount of medicament to release.

Suitably, the system additionally comprises a display for displaying information about the optimum amount of medicament to release.

Suitably, the system additionally comprises a selector for selecting the amount of medicament to release.

In one aspect, the selector is manually operable.

In another aspect, the selector is automatically operable in response to a signal from the electronic information processor.

Suitably, the selector comprises a timing mechanism for varying the time interval of actuation of the actuator.

Suitably, the selector comprises a metering mechanism between the container and the release mechanism for metering a variable quantity of medicament for release.

Suitably, the selector comprises a multiple-fire mechanism for multiple actuation of the actuator, wherein each actuation releases a portion of the optimum amount of medicament. Successive actuations may be pulsed, for example such that the time intervals between actuations may be based on arithmetic or geometric progressions.

In one preferred aspect, the medicament container is an aerosol container and said release mechanism is an aerosol valve. Preferably, the aerosol valve includes a metering chamber for metering the release of medicament. More preferably, the metering chamber is of variable volume. The volume of the metering chamber may be for example, be varied to provide the optimum amount of medicament for release. In one preferred aspect, the volume of the metering chamber is variable automatically in response to a dosing signal sent from the electronic information processor.

Various types of variable volume metering chambers are envisaged. Suitable chambers comprise a fixed volume chamber whose metering volume is variable by insertion of a plunger or piston. The piston or plunger may have a fixed form or alternatively may comprises an element of variable shape and volume such as an inflatable balloon. Other suitable chambers comprise a chamber which is expandable because it is formed from a flexible/expandable material. Further suitable chambers have telescopic or concertina arrangements to allow for mechanical expansion of the metering volume.

In another preferred aspect, the medicament container is a dry-powder container or a liquid container, that is to say a container respectively suitable for containing medicament in dry-powder or liquid form.

Preferably, the actuator comprises an energy store for storing energy which energy is releasable to activate the release mechanism of the medicament container. The energy store comprises in preferred aspects, a biasable resilient member such as a spring, a source of compressed fluid such as a canister of compressed gas (e.g. carbon dioxide or air), or a voltaic cell or battery of voltaic cells. Chemical energy sources are also suitable and might include chemical propellant or ignition mixtures. Other sources might include physical explosives such as liquefied or solidified gas in a canister which burst when heated or exposed to the atmosphere.

Preferably, the system additionally comprises a safety mechanism to prevent unintended multiple actuations of the actuator. The patient is thereby protected from inadvertently receiving multiple doses of medicament in a situation where they take a number of short rapid breaths. More preferably, the safety mechanism imposes a time delay between successive actuations of the actuator. The time delay is typically of the order of from three to thirty seconds.

An actuation counter which can be mechanical or electronic may be provided to the system.

A medicament release counter, such as a dose counter, may be provided to the system. This may be mechanical or electronic. The counter may be coupled to a visual display to provide feedback to the patient as to amount of drug released or remaining in the container.

A manual override can be provided to the system for use in the event of emergency or system failure.

According to another aspect of the present invention there is provided an inhalation device for the delivery of inhalable medicament comprising a housing and a system as described above. Suitable housings typically comprise a cavity

for receipt of the medicament container and an opening in the form of a mouthpiece or nozzle through which the medicament is delivered to the patient.

According to a further aspect of the present invention there is provided a method for the delivery of inhalable medicament to a patient comprising

(i) monitoring the breath cycle of a patient by use of a monitor;

(ii) at a trigger point, sending an actuation signal from said monitor to an actuator;

(iii) on receipt of said actuation signal by said actuator, actuating the release of inhalable medicament to the patient,

The trigger point is coupled to the end of the exhalation part of the breath cycle.

In step (i) a real-time analysis of the patient waveform may be made and comparison made with a medically acceptable waveform. Steps (i) to (iii) can then repeated until the patient waveform sufficiently matches the medically acceptable waveform.

Preferably, the method comprises

(i) monitoring a plurality of breath cycles of a patient by use of a monitor;

(ii) analysing said plurality of breath cycles to define an averaged breath cycle for the patient;

(iii) predicting a trigger point from said averaged breath cycle, the trigger point being coupled to the end of the exhalation part of the averaged breath cycle;

(iv) monitoring a further breath cycle and at said predicted trigger point sending an actuation signal from said monitor to an actuator;

(v) on receipt of said actuation signal by said actuator, actuating the release of inhalable medicament to the patient.

A system according to the invention will now be described with reference to the accompanying drawings in which:

Figure 1. is a sectional view of a standard metered dose inhaler;

Figure 2. is a perspective view of an inhalation device in accord with the present invention;

Figure 3. is a graphical representation of a patient breathing pattern;

Figure 4. is a schematic representation of a system in accord with the present invention; and

Figure 5. is a flow-chart indicating the operation of a system in accord with the present invention.

The standard metered dose inhaler shown in Fig 1 comprises a tubular housing 1 in which an aerosol container 2 can be located. The housing is open at one end (which will hereinafter be considered to be the top of the device for convenience of description) and is closed at the other. An outlet 3 leads laterally from the closed end of the housing 1. In the embodiment illustrated, the outlet 3 is in the form of a mouthpiece intended for insertion into the mouth of the patient but it may, if desired, be designed as a nozzle for insertion into the patient's nostril.

The aerosol container 2 has an outlet valve stem 4 at one end. This valve member can be depressed to release a measured dose from the aerosol container or, alternatively, the valve stem 4 can be fixed and the main body of the container can be moved relative to the valve member to release the dose.

As shown clearly in Fig 1, the aerosol container 2 is located in the housing 1 so that one end protrudes from its open top. Spacer ribs (not shown) may be

provided inside the housing to hold the external surface of the container 2 spaced from the internal surface of the housing 1. A support 5 is provided at the lower end of the housing 1 and has a passage 6 in which the valve stem 4 of the aerosol container 2 can be located and supported. A second passage 7 is provided in the support 5 and is directed towards the interior of the outlet 3.

Thus, when the parts are in the positions shown in Fig 1, the protruding portion of the aerosol container 2 can be depressed to move the container relative to the valve stem 4 to open the valve and a dose of medicament contained in the aerosol will be discharged through the passage 7 and into the outlet 3 from which it can be inhaled by a patient. One dose will be released from the aerosol container each time it is fully depressed.

Figure 2. shows a metered dose inhaler of the general type illustrated in Figure 1. which includes an electronic device for monitoring the breath cycle of a patient. The device comprises housing 10 within which an electronic information processor 20 is housed. The electronic information processor 20 is connected to a sensor (not visible) for sensing the breathing pattern of the patient and an actuator (not visible) for actuating the release of aerosol from the container 2.

Visual display monitor 30 allows for display of information relating to doses dispensed from the container 2.

Figure 3. depicts the breathing pattern of a patient in simplified graphical form wherein the vertical axis represents the volume of air in the lungs and the horizontal axis represents time. A trigger zone 40 is indicated which corresponds to the portion in the breath cycle at which the lungs are at their most empty.

Figure 4. is a block diagram illustrating a system herein. Inhaler 10 includes breath monitor transducer 40 for sensing the pressure or flow profile through the device, thereby enabling the breathing pattern of a patient to be monitored. The breath monitor transducer 40 connects via amplifier 42 and analogue to digital converter 44 to micro-controller 50. The micro-controller 50 is for example, contained within a device attached to the inhaler 10 (as in Figure 2.). The micro-controller 50 is in communication with a user display 30 for the visual display of

information e.g. relating to number of doses dispensed. The micro-controller 50 is also in communication with a memory 60 for storage of information relating to the breathing pattern of the patient. The micro-controller 50 further communicates with an interface 70 to an external computer system 72. The external computer system 72 allows for the use of customised software such as that enabling visual display of the breathing pattern of the patient. Importantly, the micro-controller 50 also communicates with an actuator on the inhaler 10, thereby enabling an actuation signal to be sent at the appropriate trigger point.

Figure 5. is a flow diagram illustrating a method of use of a system in accord with the invention. At point 80 the equipment is powered up, typically from a low energy 'sleep' mode. Readings from the breath monitor transducer are then taken at point 82. These readings are analysed at point 83 and corrections made for any artefacts such as if the patient coughs or takes short, sudden breaths. A picture of the patient's breathing pattern is, thus, assembled. At point 84 an assessment is made as to whether the patient is at the end of the exhalation part of the breath cycle. The trigger point is at the end of breath point, or at a point coupled thereto. At point 85 a calculation is made of the dose required. The calculation is based on trend data and on the current breathing pattern. At point 86 the dose is fired. A loop involving an optional programmable delay 87 may be included to allow for the delivery of dose by multiple, rapid firing of partial doses. At point 88 a check is made if the patient requires further doses. If further doses are required, there is a loop back to point 82.

If no further doses are required, point 90 is reached at which a calculation is made of the total dose delivered in the most recent firing pattern and the dose display is updated. Data relating to the most recent dose delivery event is logged into a memory at point 92. A delay is triggered at point 94 to prevent reuse of the system within a set time period. This delay acts as a safety mechanism. At point 96, the system is reset to the powered down 'sleep' mode.

The system of the invention is suitable for dispensing medicament, particularly for the treatment of respiratory disorders such as disorders of the lungs and bronchial tracts including asthma and chronic obstructive pulmonary disorder (COPD).

Appropriate medicaments may be selected from, for example, analgesics, e.g., codeine, dihydromorphine, ergotamine, fentanyl or morphine; anginal preparations, e.g., diltiazem; antiallergics, e.g., cromoglycate, ketotifen or nedocromil; antiinfectives e.g., cephalosporins, penicillins, streptomycin, sulphonamides, tetracyclines and pentamidine; antihistamines, e.g., methapyrilene; anti- inflammatories, e.g., beclomethasone dipropionate, fluticasone propionate, flunisolide, budesonide, rofleponide, mometasone furoate or triamcinolone acetonide; antitussives, e.g., noscapine; bronchodilators, e.g., albuterol, salmeterol, ephedrine, adrenaline, fenoterol, formoterol, isoprenaline, metaproterenol, phenylephrine, phenylpropanolamine, pirbuterol, reproterol, rimiterol, terbutaline, isoetharine, tulobuterol, or (-)-4-amino-3,5-dichloro-α-[[[6-[2-(2-pyridinyl)ethoxy] hexyl]methyl] benzenemethanol; diuretics, e.g., amiloride; anticholinergics, e.g., ipratropium, tiotropium, atropine or oxitropium; hormones, e.g., cortisone, hydrocortisone or prednisolone; xanthines, e.g., aminophylline, choline theophyllinate, lysine theophyllinate or theophylline; therapeutic proteins and peptides, e.g., insulin or glucagon. It will be clear to a person skilled in the art that, where appropriate, the medicaments may be used in the form of salts, (e.g., as alkali metal or amine salts or as acid addition salts) or as esters (e.g., lower alkyl esters) or as solvates (e.g., hydrates) to optimise the activity and/or stability of the medicament.

Preferred medicaments are selected from albuterol, salmeterol, fluticasone propionate and beclomethasone dipropionate and salts or solvates thereof, e.g., the sulphate of albuterol and the xinafoate of salmeterol, and any mixtures thereof.

Medicaments can also be delivered in combinations. Preferred formulations containing combinations of active ingredients contain salbutamol (e.g., as the free base or the sulphate salt) or salmeterol (e.g., as the xinafoate salt) in combination with an antiinflammatory steroid such as a beclomethasone ester (e.g., the dipropionate) or a fluticasone ester (e.g., the propionate).

The medicaments can be in any suitable form. Preferred forms include aerosols comprising medicament suspended in a propellant with optionally one or more

solvents; dry powders comprising micronized medicament and optionally one or more excipients; and solutions including aqueous solutions.

It will be understood that the present disclosure is for the purpose of illustration only and the invention extends to modifications, variations and improvements thereto.

The application of which this description and claims form part may be used as a basis for priority in respect of any subsequent application. The claims of such subsequent application may be directed to any feature or combination of features described therein. They may take the form of product, method or use claims and may include, by way of example and without limitation, one or more of the following claims:

CLAIMS:

1. A portable device for the delivery of inhalable medicament comprising

a monitor for monitoring the breath cycle of a patient;

a medicament container having a release mechanism for releasing inhalable medicament therefrom; and

an actuator for actuating said release mechanism, said actuator being actuable in response to a signal from said monitor,

characterized in that the monitor provides said signal at a trigger point which is coupled to the end of the exhalation part of the breath cycle.

2. A portable device according to claim 1, wherein said monitor comprises one or more sensors for sensing the pressure profile associated with the breath cycle.

3. A portable device according to either of claims 1 or 2, wherein said monitor comprises one or more sensors for sensing the airflow profile associated with the breath cycle.

4. A portable device according to any of claims 1 to 3, wherein said monitor comprises one or more sensors for sensing the temperature profile associated with the breath cycle.

5. A portable device according to any of claims 1 to 4, wherein said monitor comprises one or more sensors for sensing the moisture profile associated with the breath cycle.

6. A portable device according to any of claims 1 to 5, wherein said monitor comprises one or more sensors for sensing the oxygen or carbon dioxide profile associated with the breath cycle.

7. A portable device according to any of claims 1 to 6, wherein the trigger point corresponds to the point at which the lungs of the patient are most empty.

8. A portable device according to any of claims 1 to 7, wherein said monitor is connectable to an electronic information processor.

9. A portable device according to claim 8, wherein said electronic information processor includes an active memory for storing information about the breath cycle.

10. A portable device according to claim 9, wherein said electronic information processor includes a predictive algorithm for predicting the optimum trigger point.

11. A portable device according to claim 9, wherein said electronic information processor includes a look-up table for predicting the optimum trigger point.

12. A portable device according to any of claims 9 to 11, wherein said electronic information processor includes a second predictive algorithm for predicting the optimum amount of medicament to release.

13. A portable device according to any of claims 9 to 11, wherein said electronic information processor includes a second look-up table for predicting the optimum amount of medicament to release.

14. A portable device according to either of claim 12 or 13, wherein said electronic information processor includes a dose memory for storing information about earlier delivered doses and reference is made to the dose memory in predicting the optimum amount of medicament to release.

15. A portable device according to any of claims 12 to 14, additionally comprising a display for displaying information about the optimum amount of medicament to release.

16. A portable device according to any of claims 12 to 15, additionally comprising a selector for selecting the amount of medicament to release.

17. A portable device according to claim 16, wherein the selector is manually operable.

18. A portable device according to claim 16, wherein the selector is operable in response to a signal from the electronic information processor.

19. A portable device according to any of claims 16 to 18, wherein the selector comprises a timing mechanism for varying the time interval of actuation of the actuator.

20. A portable device according to any of claims 16 to 19, wherein the selector comprises a metering mechanism between the container and the release mechanism for metering a variable quantity of medicament for release.

21. A portable device according to any of claims 16 to 20, wherein the selector comprises a multiple-fire mechanism for multiple actuation of the actuator, wherein each actuation releases a portion of the optimum amount of medicament.

22. A portable device according to any of claims 1 to 21, wherein said medicament container is an aerosol container and said release mechanism is an aerosol valve.

23. A portable device according to claim 22, wherein said aerosol valve includes a metering chamber for metering the release of medicament.

24. A portable device according to claim 23, wherein the metering chamber has a variable metering volume.

25. A portable device according to claim 24, wherein the metering chamber comprises a chamber of fixed volume which metering volume is variable by insertion of a plunger or piston.

26. A portable device according to claim 24, wherein the metering chamber is formed from an expandable material.

27. A portable device according to claim 24, wherein the metering chamber has a telescopic or concertina arrangement.

28. A portable device according to any of claims 1 to 21, wherein said medicament container is a dry-powder container or a liquid container.

29. A portable device according to any of claims 1 to 28, wherein said actuator comprises an energy store for storing energy which energy is releasable to activate the release mechanism of the medicament container.

30. A portable device according to claim 29, wherein said energy store comprises a biasable resilient member.

31. A portable device according to claim 30, wherein said biasable resilient member is a spring.

32. A portable device according to claim 29, wherein said energy store comprises a source of compressed fluid, preferably compressed gas.

33. A portable device according to claim 29, wherein said energy store comprises a voltaic cell or battery of voltaic cells.

34. A portable device according to claim 29, wherein said energy store comprises a chemical energy source, preferably a chemical propellant or ignition mixture.

35. A portable device according to claim 29, wherein said energy store comprises a physically explosive energy source.

36. A portable device according to any of claims 1 to 35, additionally comprising a safety mechanism to prevent unintended multiple actuations of the actuator.

37. A portable device according to claim 36, wherein said safety mechanism imposes a time delay between successive actuations of the actuator.

38. A portable device according to any of claims 1 to 37, additionally comprising an actuation counter.

39. A portable device according to any of claims 1 to 38, additionally comprising a medicament release counter, preferably a dose counter.

40. A portable device according to any of claims 1 to 39, additionally comprising a manual override.

41. A portable device according to any of claims 1 to 40 additionally comprising a housing therefor.

42. A method for the delivery of inhalable medicament to a patient by way of a portable device comprising

(i) monitoring the breath cycle of a patient by use of a monitor;

(ii) at a trigger point, sending an actuation signal from said monitor to an actuator;

(iii) on receipt of said actuation signal by said actuator, actuating the release of inhalable medicament to the patient,

characterized in that said trigger point is coupled to the end of the exhalation part of the breath cycle.

43. Method according to claim 42, wherein steps (i) to (iii) are repeated until the breath cycle corresponds to a medically acceptable form.

44. Method according to claim 42, comprising

(i) monitoring a plurality of breath cycles of a patient by use of a monitor;

(ii) analysing said plurality of breath cycles to define an averaged breath cycle for the patient;

(iii) predicting a trigger point from said averaged breath cycle, the trigger point being coupled to the end of the exhalation part of the averaged breath cycle;

(iv) monitoring a further breath cycle and at said predicted trigger point sending an actuation signal from said monitor to an actuator;

(v) on receipt of said actuation signal by said actuator, actuating the release of inhalable medicament to the patient.

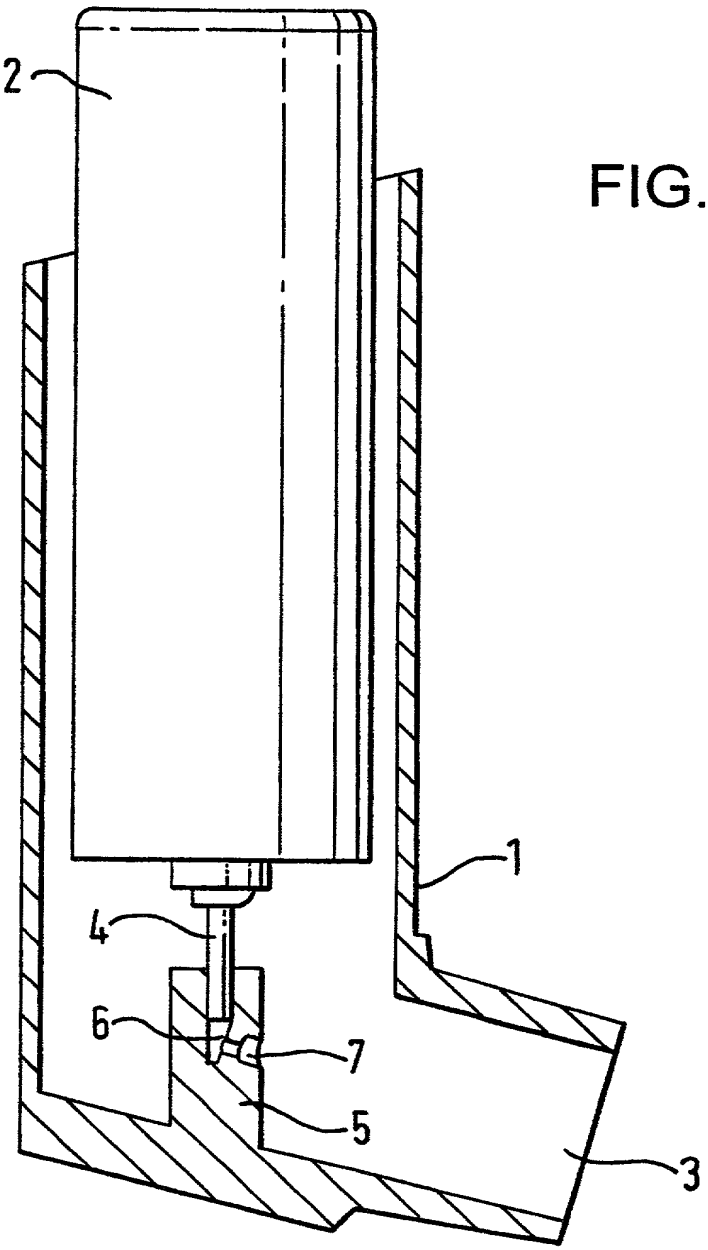

FIG. 1

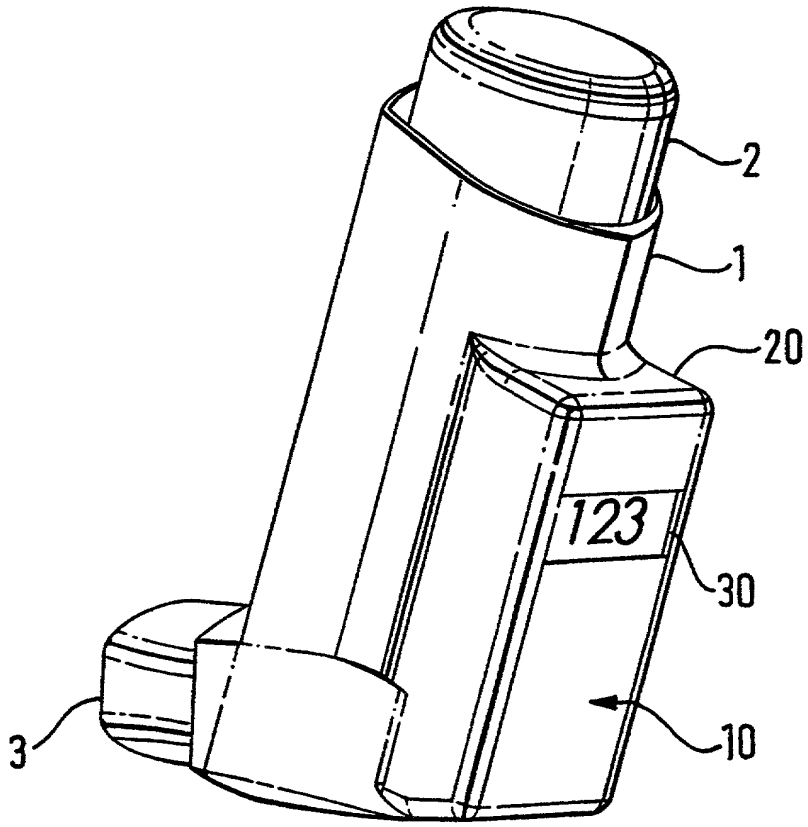

FIG. 2

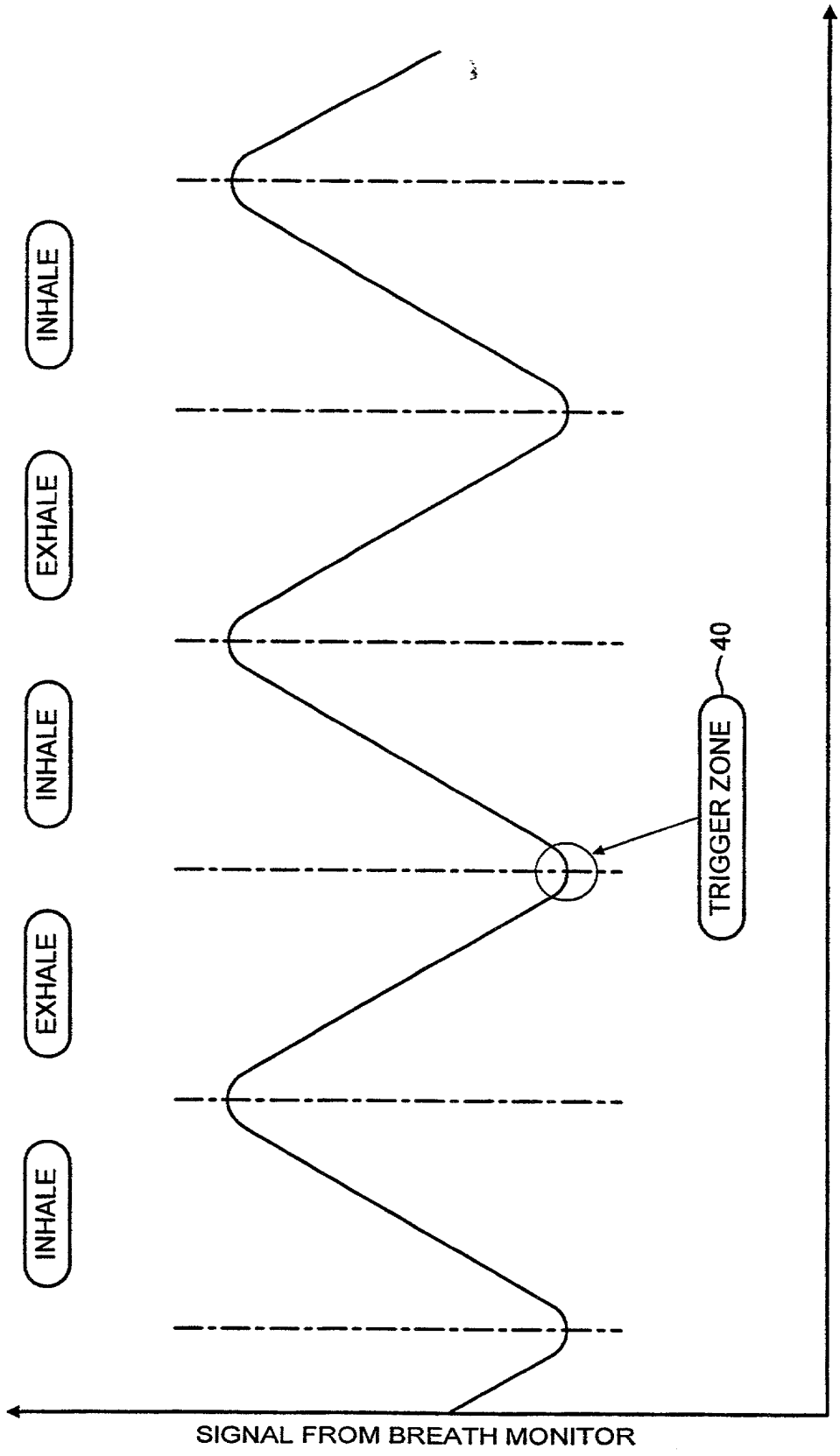
INHALE
EXHALE
INHALE
EXHALE
INHALE
TRIGGER ZONE
40
TIME
SIGNAL FROM BREATH MONITOR

FIG. 3

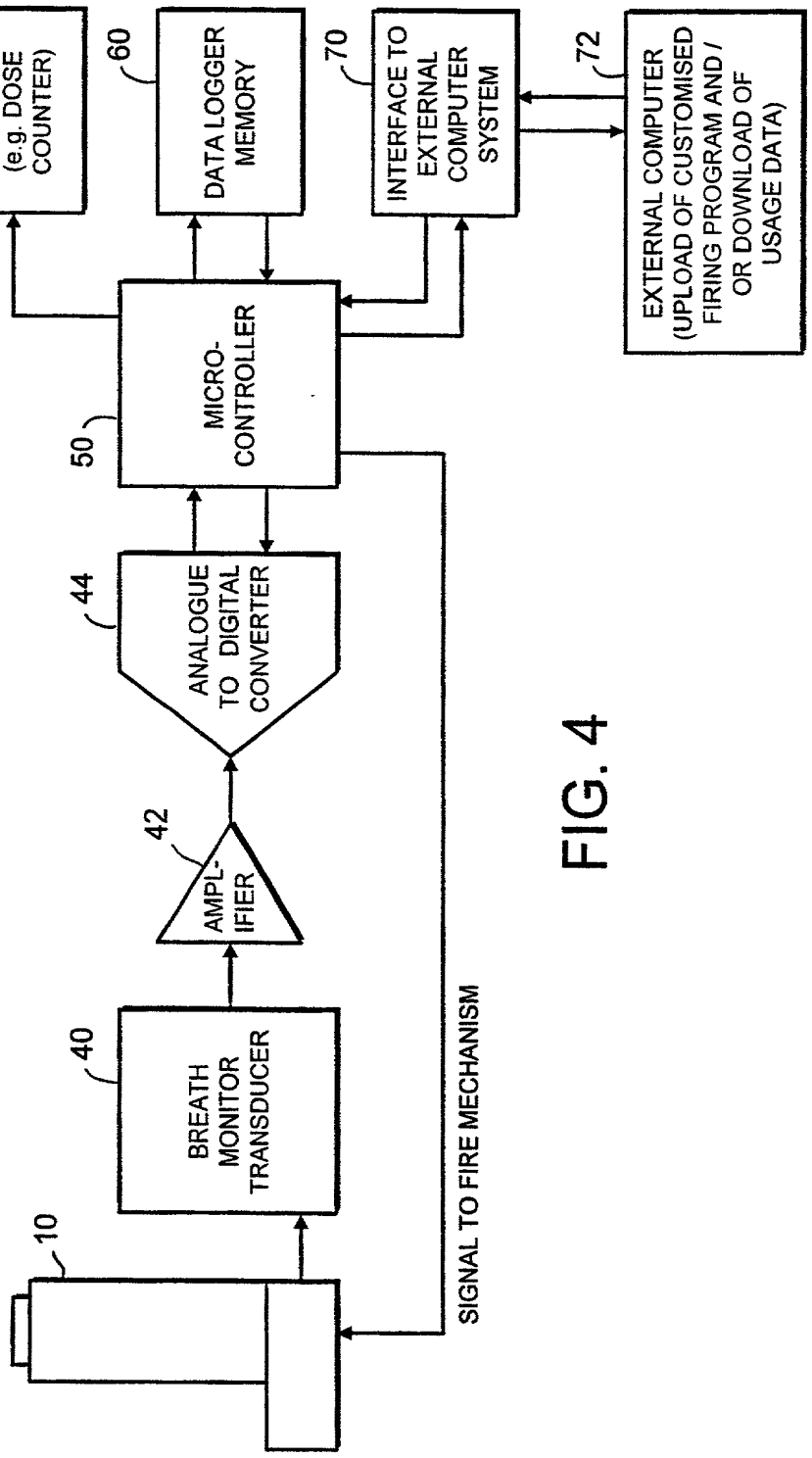
30
USER DISPLAY (e.g. DOSE COUNTER)
60
DATA LOGGER MEMORY
70
INTERFACE TO EXTERNAL COMPUTER SYSTEM
72
EXTERNAL COMPUTER (UPLOAD OF CUSTOMISED FIRING PROGRAM AND / OR DOWNLOAD OF USAGE DATA)
50
MICRO-CONTROLLER
44
ANALOGUE TO DIGITAL CONVERTER
42
AMPL-IFIER
40
BREATH MONITOR TRANSDUCER
10
SIGNAL TO FIRE MECHANISM

FIG. 4

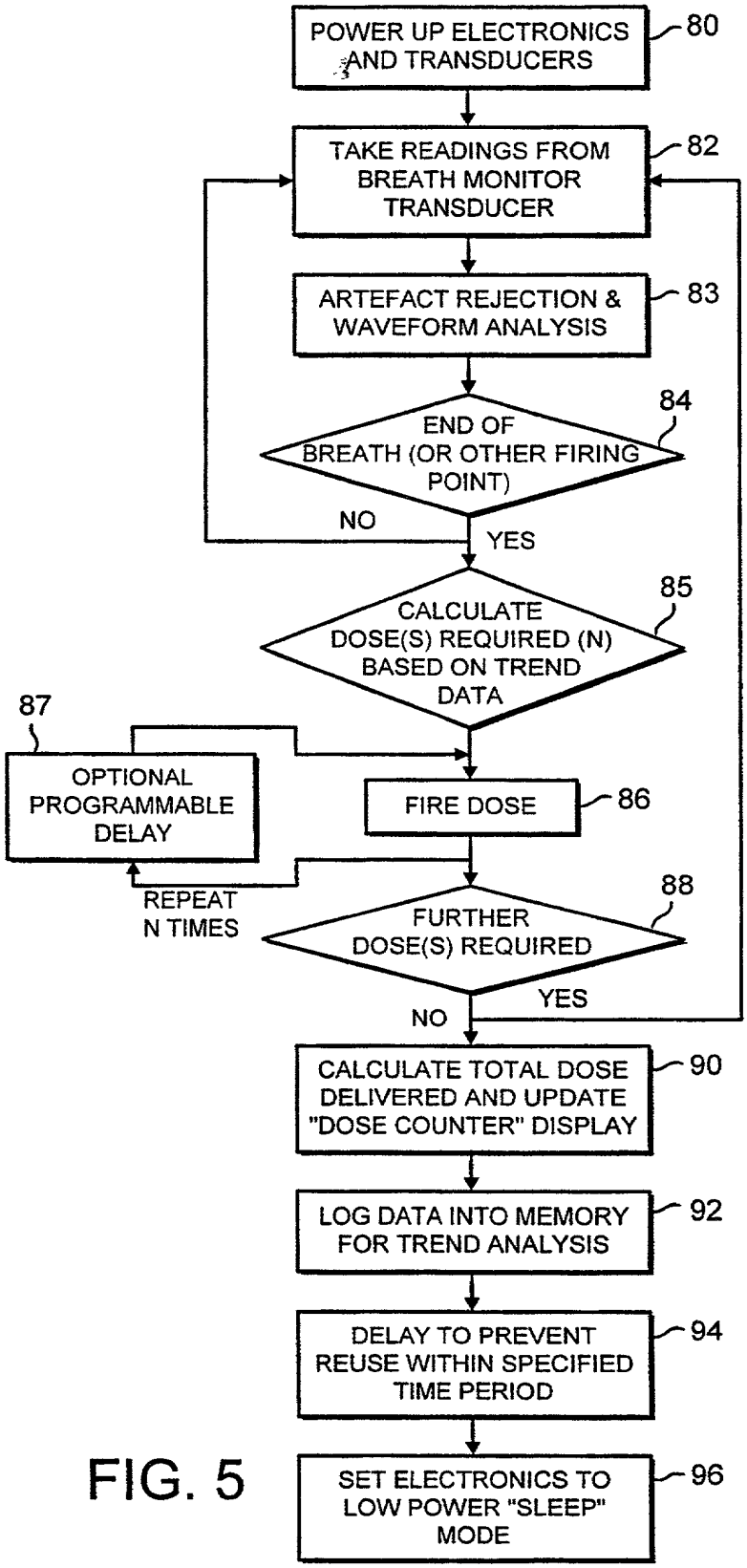
POWER UP ELECTRONICS AND TRANSDUCERS
80
TAKE READINGS FROM BREATH MONITOR TRANSDUCER
82
ARTEFACT REJECTION & WAVEFORM ANALYSIS
83
END OF BREATH (OR OTHER FIRING POINT)
84
NO
YES
CALCULATE DOSE(S) REQUIRED (N) BASED ON TREND DATA
85
87
OPTIONAL PROGRAMMABLE DELAY
FIRE DOSE
86
REPEAT N TIMES
FURTHER DOSE(S) REQUIRED
88
NO
YES
CALCULATE TOTAL DOSE DELIVERED AND UPDATE "DOSE COUNTER" DISPLAY
90
LOG DATA INTO MEMORY FOR TREND ANALYSIS
92
DELAY TO PREVENT REUSE WITHIN SPECIFIED TIME PERIOD
94
SET ELECTRONICS TO LOW POWER "SLEEP" MODE
96

FIG. 5

COMBINED DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION WITH POWER OF ATTORNEY

ATTORNEY'S DOCKET
PG3614USW
First Names Inventor
Anthony Patrick JONES
Complete if known:
App No.:
Filing Date
Group Art Unit:

( ) Declaration submitted with initial filing or

( )Declaration submitted after initial filing (surcharge required 37CFR1 16(e))

As below named inventor. I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MEDICAMENT DELIVERY SYSTEM

the specification of which (check only one item below):

[ ]is attached hereto.
OR
[x] was filed on **23 February 2000** as United States application Serial No. _____ or **PCT** International

Application Number **PCT/EP00/01443** filed and was amended on (MM/DD/YYYY) _____(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35, U.S.C. §119 (a)-(d) or §365(b) of any foreign applications(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

Prior Foreign Application Number (s)	Country	Foreign Filing Date (MM/DD/YYYY))	PRIORITY CLAIMED
1 9905134.4	GB	March 6, 1999	X
2. 9917470.8	GB	July 27, 1999	X
3.			
4.			
5.			

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date (MM/DD/YYYY)	
1.		
2.		
3.		
4.		

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COMBINED DECLARATION FOR UTILITY or DESIGN PATENT APPLICATION WITH POWER OF ATTORNEY Continued

ATTORNEY'S DOCKET NUMBER: PG3614USW

I hereby claim the benefit under 35, U S C §120 of any United States application or §365(c) of any PCT international application designating the United States of America that is listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U S C §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F R §1 56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application

PRIOR U.S. PARENT APPLICATION or PCT PARENT APPLICATION

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	STATUS (Check one) PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith (List name and registration number)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2	FULL NAME OF INVENTOR	FAMILY NAME: **JONES**	FIRST GIVEN NAME: **Anthony**	SECOND GIVEN NAME/INITIAL: **Patrick**
	INVENTOR'S SIGNATURE	Signature X [signature]		Date: X 18 September 2001
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	INVENTOR'S SIGNATURE	Signature X [signature]		Date X 20 September 2001
0	RESIDENCE & CITIZENSHIP	CITY: **Ware** GBX	STATE OR FOREIGN COUNTRY: **GB**	COUNTRY OF CITIZENSHIP: **GB**
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2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME/INITIAL
	INVENTOR'S SIGNATURE	Signature		Date:
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY: **NC**	COUNTRY OF CITIZENSHIP: **US**
3	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY

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